

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

Savannah Division

U.S. DISTRICT COURT
BRUNSWICK DIV.

2023 OCT -3 A 10: 59

CLERK

Case No. CV423-039

(to be filled in by the Clerk's Office)

Adrian Lamar Brinson GDC 1171205

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Lt. Brittany B. Beard / Officer Strickland

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Adrian Lamar Benson
 All other names by which
 you have been known: Adrian Lamar Graham
 ID Number GDC # 1171205
 Current Institution Central State Prison
 Address 4600 Fulton Mill Rd.
Macon GA 31208
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Brittany B. Beard
 Job or Title (*if known*) Lt. Coastal State Prison
 Shield Number N/A
 Employer Coastal State Prison
 Address Garden City GA
City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name Jane Doe Officer Strickland Taylor
 Job or Title (*if known*) Coastal State Prison (Officer)
 Shield Number N/A
 Employer Coastal State Prison
 Address Garden City GA
City State Zip Code
☒ Individual capacity ☒ Official capacity

Defendant No. 3

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Violation of oath violation of 8th amendment
Rights to be free of cruel and unusual punishment
Right to medical care, refused protect, employ
Protect against physical abuse involving person's
1st Amendment Right to petition 14th Right to medical

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed. Defendant Lt Beard acted under color of law when incident took place on her shift and under her duty. Defendant officer Strickland acted under color of law when incident took place on her shift in front of her and her duty.

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

Incident took place @ Coastal State Prison
Garden City Ga.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

Nov 17 2022 2:38 pm W building
Coastal State Prison 4

C. What date and approximate time did the events giving rise to your claim(s) occur?

The incident happened on nov 17 2022 @ 2:35 pm @ coastal state prison In front of N building. Prior to nov 17th incident on nov 8th 22 Lt Beard & officer Strickland approached Branson on yard with threats

Cont. Attachment ①

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?

Was anyone else involved? Who else saw what happened?) On 11/17/22 around 2:35pm

@ coastal state prison officer Strickland called me outside of my building and told me to pack my things (N building) Once I returned with my property officer Strickland was standing in front of N building with 2 inmates BB AKA Derrick Davis and money hungry AKA Kyle Walker witness me to don't say anything, that he heard officer Strickland talking to other inmates about getting something done to me.

Cont.

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

During the incident on nov 16 2022 I recieved the following injuries. Nose busted possible broke, neck injury Cut on the backside of Right hand 3inches Emotional distress. After incident on nov 16 2022, I didnt recieve any medical treatment or attention after the assault. I never seen anyone from medical and there was no incident report done! medical did not respond to any of my medical request after the incident.

Cont.

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

wherefore, Plaintiff respectfully pray that this court enter judgement: Grant Plaintiff Branson a declaration that acts and omissions described herein violate his rights under the constitution and laws of the United States. A preliminary and permanent injunction ordering defendants Beard and Strickland to cease their

C. Nov 17th 2022 Coastal state prison in front of N building 2:38 pm. Plaintiff was assaulted by inmates.

D. On Nov 17th 2022 @ coastal state prison in front of N building 2:38 pm. Officer Strickland called me outside of N building and told me to pack my property and report up front. I followed orders and returned with my property officer strickland was outside talking to inmates BB AKA Derrick Davis and money hungry AKA Kyle walker, witness Gonvoni Jacobs approached me and went to telling me what was going on. He stated that officer strickland and SGT Beard put a hit on me with the GO's officer strickland pointed me out and the 2 inmates approached me and attacked me. witness Hogan kaphk and two other inmates witness this assault. As I ran from attackers another group of attackers (Extra Joe brown and a 3rd inmate met me at the gate and attacked me. During the incident officer Strickland did not respond didn't call a code for help did not seek medical assistance. Did not do anything to stop the assault. In fact,

Officer Strickland had prior knowledge of the assault because she came to work on Nov 17th 22 and told inmate Joe Brown that there was a hit on a muslim. Nov 8th 22 ^{1:30pm} Officer Strickland and SGT Beard approached Plaintiff on the yard and made threats to Plaintiff Branson because Plaintiff asked to speak to the warden on Nov 8th 22 8Am officer Strickland told SGT Beard that I planned on telling on her for putting hit on me. Nov 9th 2nd block creative writing class Mr. Ivicy I shared with the class something I wrote that exposed SGT Beard and I read it to the class. Nov 14th 22 Beard tried to get inmates Rico and New Jersey to offer me a can of tobacco to keep quiet I turned it down. Nov 16th 2nd block I reported the hit to Counselor Macfee and unit manager Fletcher whom passed word back to SGT Beard. I was denied protective custody denied medical treatment didn't stop the assault. SGT Beard is the one that paid for the hit because she found out thru

That I may have had something to do with her family member that was killed in Thomasville Ga. July 5th 2019. 2 weeks after the shooting Derrick Davis shot my stepson Carl made in retaliation to the shooting. (Note) Derrick Davis and SGT Beard are classmates.

V. Injuries Cont. I received no medical treatment after the incident and no more while I was @ Coastal State prison.

VI Relief Cont.
physical violence and threats toward Plaintiff Brinson. Granting Plaintiff compensatory damages of \$50,000 from officer Strickland for her actions on Nov 17th 22 that violated Plaintiff Brinson US. Constitutional Rights and lead to injury declaratory judgement of \$10,000 from SGT Beard for ~~the~~ her actions on Nov 17th 22 that lead to the injury

and assault of plaintiff Branson. Plaintiff Request

Compensatory declaratory Judgment in the amount of \$50,000.00 from officer Strickland for negligence, Denying protective custody violating oath to protect. Denying medical attention and doing so with evil intent.

Compensatory declaratory Judgment in the amount of \$10,000.00 from SGT Beard for he criminal acts negligence, Denying protective custody violating oath to protect and serve. Denying medical attention and doing so with evil intent by getting inmates to harm plaintiff Branson.

and any other relief this court deems just....

Adrian Branson



1171205

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Coastal State Prison Garden City
Ga.

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

The assault by other inmates off the command of Lt. Beard and Strickland in replace for contraband denial of medical attention after the assault failure to report the incident respond to or keep inmate safe from harm of other inmates when officers knew of threat to inmate.

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

E. If you did file a grievance:

1. Where did you file the grievance?

Coastal State Prison on Nov 22,
2022 Received By Counselor Williams

2. What did you claim in your grievance?

that officers placed a hit on me and
that my life was in danger.

3. What was the result, if any?

my grievance was rejected
but I appealed it and they
rejected it again.

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I appealed it all the way up to
the GDC my grievance process is
complete.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. The prison that I am at now will not accept any of my grievances that deal with retaliation. They have denied me access to law library and I have proof they have held my
- (Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

NO

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

- ☐ Yes
- ☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

my Deadline for this is
9/15/23. I just received
this in the mail on 9/7/23
days before the deadline.
The prison has been holding
my legal mail. On 9/7/23
I received other legal mail
from months prior. Enclosed
is a Civil Rights Complaint
that you asked about.

Thank You!

A handwritten signature in black ink, consisting of a stylized 'R' followed by a horizontal line.

1171205

4:23-cv-39

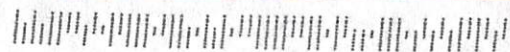
Adrian Lamar Brinson 1171205
Central State Prison
4600 Fulton Mill Road
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Adrian Lamar Brinson
GDC 1171205

Central State Prison

4600 Fulton Mill Rd.

Macon Ga. 31208



Office of the Clerk
United States District Court
Southern District of Ga.
P.O. Box 1636
Brunswick Ga. 31521

CEN

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